

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC.,
Petitioner

v.

YANGTZE MEMORY TECHNOLOGIES COMPANY, LTD.,
Patent Owner

Case No.: IPR2025-00190
U.S. Patent No. 11,568,941
Issue Date: January 31, 2023

Title: MEMORY INCLUDING A PLURALITY OF PORTIONS AND USED
FOR REDUCING PROGRAM DISTURBANCE AND PROGRAM METHOD
THEREOF

**PETITIONER'S OBJECTIONS TO
PATENT OWNER'S SUPPLEMENTAL EVIDENCE**

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner submits the following objections to supplemental evidence that Patent Owner served on December 3, 2025 in this proceeding:

Exhibit 2029 (*Declaration of Richard A. Lowry in Response to Petitioner's Objections to Evidence*):

This declaration by Patent Owner's counsel, acting as a fact witness, purports to authenticate Exhibits 2020 and 2024–27 as true and correct copies of what Patent Owner alleges these exhibits to be. Petitioner objects to Exhibit 2029 as inadmissible hearsay under FRE 801 and 802 not falling under any exception. Petitioner further objects to Exhibit 2029 for lack of foundation and lack of personal knowledge under FRE 602, and as improper lay testimony under FRE 701, to the extent it offers testimony in areas outside of Mr. Lowry's area of expertise or fails to properly provide the underlying facts, data, and other required disclosures.

As to Exhibit 2020, Patent Owner states that this is a copy of "Micron's submission in IPR2025-00034 as Exhibit 1008." However, in IPR2025-00034 Patent Owner objected to Exhibit 1008 as "not properly authenticated" and as "inadmissible hearsay." *See* IPR2025-00034, Paper 23 at 2 (PTAB June 2, 2025). Patent Owner cannot simultaneously object to the exhibit in IPR2025-00034 and rely on Petitioner's production of the document as resolving its objections.

As to Exhibits 2024-2027, Patent Owner fails to even identify who allegedly obtained the copies of these documents, stating only that it was an unknown “Latham staff member.” This indicates Mr. Lowry’s lack of foundation and lack of personal knowledge. Petitioner further incorporates by reference its prior objections to Exhibits 2020 and 2024–27 filed on November 18, 2025 (Paper 34).

Exhibit 2029 includes inline several additional exhibits titled Appendix A through Appendix J (the “Ex. 2029 Appendices”). Petitioner objects to the Ex. 2029 Appendices as inadmissible hearsay under FRE 801 and 802 not falling under any exception. Petitioner further objects to the Ex. 2029 Appendices as not properly authenticated under FRE 901 because Patent Owner has not presented sufficient evidence to show that they are authentic or self-authenticating under FRE 902. Petitioner also objects to the Appendix A through I of the Ex. 2029 Appendices because each of them is dated on the face of each document (on the “Page Vault” page) to dates in November and December 2025, which are dates well after the date that Patent Owner seeks to establish for Exhibits 2020 and 2024-2027, and Appendix J of the Ex. 2029 Appendices fails to provide the purported year of that document as the information about any dates in it states “Wednesday, September 4.”

Dated: December 5, 2025

Respectfully submitted,

/Jeremy Jason Lang/

Jeremy Jason Lang

Lead Counsel for Petitioner

Reg. No. 73,604

ORRICK, HERRINGTON &
SUTCLIFFE, LLP

1000 Marsh Road

Menlo Park, CA 94025

Telephone: (650) 614-7400

Facsimile: (650) 614-7401

Email: PTABDocketJJL2@orrick.com

*Attorneys for Petitioner Micron
Technology, Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby confirms that the foregoing paper was caused to be served on December 5, 2025 via electronic mail, upon the following attorneys of record for the Patent Owner

Inge A. Osman (inge.osman@lw.com)
Kevin Wheeler (kevin.wheeler@lw.com)
Charles H. Sanders (charles.sanders@lw.com)
Amit Makker (amit.makker@lw.com)
Richard A. Lowry (richard.lowry@lw.com)
B. Thomas Watson (thomas.watson@lw.com)
Alex Grabowski (alex.grabowski@lw.com)
Ben Smith (ben.smith@lw.com)
YMTCMICRONIPR.LWTEAM@lw.com
LATHAM & WATKINS LLP

/Karen Johnson/

Karen Johnson